

Appl. No.: 10/586,943
Reply to Office Action of: 09/17/2009

REMARKS

Section 12 of the Office Action Summary page indicates that "none" of the certified copies of the priority documents have been received. Applicants submit that a review of the PAIR system indicates that the Certified Copy of Foreign Priority Application was received with a mail room date of 07-24-2006.

The drawings were objected to under 37 CFR §1.83(a). Applicants have amended claim 4 to address the examiner's concerns.

The specification was objected to in view of various informalities. Regarding the headings, applicants have amended the specification to address the examiner's concerns.

Regarding the number "47", applicants submit that the specification describes the element "47" as a hooking means in the form of spring arms furnished with hooks (see page 6, lines 16-17). Therefore, the later recited "spring arms" or "arms" 47 is clearly referring to a particular embodiment of the general concept of a "hooking means". The "hooking means 47" and the "arms 47" refer to the same part. Thus, applicants submit that an amendment to the specification is not required. The examiner is requested to reconsider this rejection.

Claims 1-11 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Applicants have amended claims 1 and 4-10 to address the examiner's concerns. In regards to claim 11, the examiner is requested to reconsider this rejection. The examiner stated that "the access of which

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... operation" is confusing and unclear. The test for definiteness under 35 U.S.C. 112, second paragraph, is whether "those skilled in the art would understand what is claimed when the claim is read in light of the specification." *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 806 F.2d 1565, 1576, 1 USPQ2d 1081, 1088 (Fed. Cir. 1986). Furthermore, MPEP 2173.04 states that the "breadth of a claim is not to be equated with indefiniteness. *In re Miller*, 441 F.2d 689, 169 USPQ 597 (CCPA 1971). If the scope of the subject matter embraced by the claims is clear, and if applicants have not otherwise indicated that they intend the invention to be of a scope different from that defined in the claims, then the claims comply with 35 U.S.C. 112, second paragraph." In the present case, the claim language might be broad, but it is not indefinite. It is the purpose of the claims to define the invention; not to describe the invention. The invention is described in the specification and drawings. An example of how the method step of 'introducing into each socket, the access of which has been freed by the piercing operation, a wired contact designed for this purpose', is described in the specification and shown in the drawings. The language in the claims would be understood by those skilled in the art when the claims are read in light of the specification. Again, the claim language might be broad, but it is not indefinite. The examiner is requested to reconsider this rejection.

Claims 1-7 were rejected under 35 U.S.C. §103(a) as being unpatentable over Smith et al. (US 4,973,268) in view of Gosser (US 3,989,338). Claims 8-11 were rejected under 35

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U.S.C. §103(a) as being unpatentable over Smith et al. (US 4,973,268) in view of Gosser (US 3,989,338) and Crane et al. (4,824,390). The examiner is requested to reconsider these rejections.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Claim 1 recites, *inter alia*, an "electrical connector part ... comprising ... a grid for guiding the cables, ... wherein the connector part comprises a blocking member of the passages of the grid ... designed to be pierced selectively for inserting the contacts into a group of predetermined sockets". This claimed configuration provides two parts, the grid 9 and the blocking member 51, which cooperate together, and wherein each of the parts has its own function.

For example, when using a connector according to applicants' claimed invention, the 'connector maker' can send to the 'harness-maker/cable-maker', on one side, the connector with the grid 9, and separately the blocking-member 51. This, for example, allows the harness-maker to first prepare the member 51 according to the case, and second to assemble the cables. The grid 9 being mounted, from the beginning, on the connector, provides for the delicate joint 7 to be mechanically protected during transport and manipulation.

In contrast, Smith merely discloses a multi-contact electrical connector with a secondary lock. Smith teaches projection(s) 94 being used to provide the sealing, wherein the

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projection(s) 94 must be thick and voluminous enough to provide their intended function. Whereas, in applicants' claimed invention, the member 51 comprises a sheet/film configuration which uses minimal material and is easy to pierce.

In Smith, one possibility would be that the 'connector maker' could send the grid/member/cap 90 separately, but then the seal 110 is not protected; alternative possibility would be to first send connector with mounted cap 110, second to disassemble at the 'harness-maker', third to prepare the cap 90 according to the case, and fourth to assemble back the cap 90 at the connector; but nevertheless the seal 110 is unprotected between the second and fourth steps and this would be a cumbersome and costly process.

Further, in case of fully populated connector, in Smith it is required to cut all the projections 94. Whereas in applicants' claimed invention, it is sufficient and easy not to mount the member 51.

Additionally, the examiner admits that Smith does not show a blocking member of the passages of the grid which is fixed on said grid.

Gosser discloses a push-pin assembly for electrical wiring where a number of wires terminate at a pinboard. Gosser teaches a membrane sheet G covering the entire pin-insertion-accommodating face. However, the membrane disclosed in Gosser is only a means to identify the holes, and it does not consider any sealing device nor the problems linked to the "partially populated" connector.

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Neither Smith nor Gosser teach or suggest an electrical connector part ... comprising ... a grid for guiding the cables, ... wherein the connector part comprises a blocking member of the passages of the grid ... designed to be pierced selectively for inserting the contacts into a group of predetermined sockets, as claimed in applicant's claimed invention.

Furthermore, applicants submit that there is no suggestion to combine the references as the examiner is attempting to do (at least not until after reading applicants' patent application). Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. (see MPEP 2143.01, page 2100-98, column 1). The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination (see MPEP 2143.01, page 2100-98, column 2). A statement that modifications of the prior art to meet the claimed invention would have been "well within the ordinary skill of the art at the time the claimed invention was made" because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the references. (see MPEP 2143.01, page 2100-99, column 1) Ex parte Levengood, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993). >See also Al-Site Corp. v. VSI Int'l Inc., 174 F.3d 1308, 50 USPQ2d 1161

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(Fed. Cir. 1999) (The level of skill in the art cannot be relied upon to provide the suggestion to combine references.)

In the present case, there is no teaching, suggestion, or motivation, found in either the references themselves or in the knowledge generally available to one of ordinary skill in the art, to provide an electrical connector part ... comprising ... a grid for guiding the cables, ... wherein the connector part comprises a blocking member of the passages of the grid ... designed to be pierced selectively for inserting the contacts into a group of predetermined sockets, as claimed in claim 1. The features of claim 1 are not disclosed or suggested in the art of record. Therefore, claim 1 is patentable and should be allowed.

Though dependent claims 2-7 contain their own allowable subject matter, these claims should at least be allowable due to their dependence from allowable claim 1. However, to expedite prosecution at this time, no further comment will be made.

Claims 8-11 claim a tool for piercing the blocking member. The examiner admits that Smith does not show a tool for piercing the blocking member of a connector part.

Crane discloses a coated electrical connector. The examiner states that it would have been obvious to one with skill in the art to modify the module of Crane by forming a tool having the described features.

However, the teaching of Crane considers preventing the current path between contacts due to moisture on housing

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surfaces (i.e. leakage current) through use of gel layer 3. This gel layer is for performing a sealing function, wherein the gel layer is continuous and needs to be pierced before connection (such a piercing not being the purpose of applicants' claimed invention). Furthermore, the protector module 7 is not a tool and corresponds to the not-represented matching connector of the invention; module / matching connector 7 of Crane is adapted to squeeze rather than pierce the joint/gel 3.

Additionally, applicants submit that there is no suggestion to combine the references as the examiner is attempting to do (at least not until after reading applicants' patent application). In the present case, there is no teaching, suggestion, or motivation, found in either the references themselves or in the knowledge generally available to one of ordinary skill in the art, to provide a tool for piercing the blocking member as in applicants' claimed invention. The features of claims 8-11 are not disclosed or suggested in the art of record. Therefore, claims 8-11 are patentable and should be allowed.

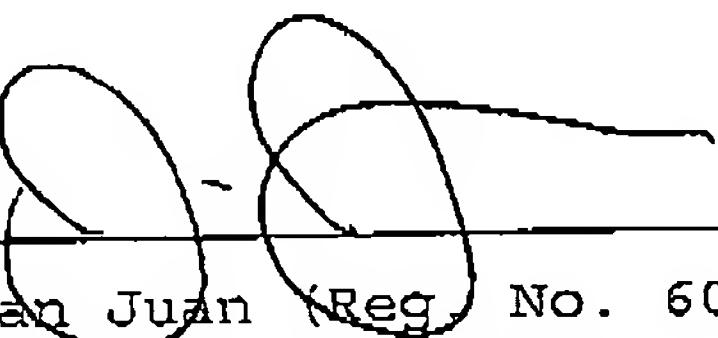
Further, dependent claims 8-11 depend from claim 1 and thus include all the limitations of claim 1. Thus, claims 8-11 are believed to be allowable for at least the reasons given for claim 1.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record. Accordingly, favorable reconsideration and allowance is respectfully requested. If there are any additional charges

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with respect to this Amendment or otherwise, please charge deposit account 50-1924 for any fee deficiency. Should any unresolved issue remain, the examiner is invited to call applicants' attorney at the telephone number indicated below.

Respectfully submitted,



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12/17/2009

Date

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